

### **Remarks**

This is in response to the Office Action mailed June 1, 2004. The title has been amended. Claims 1-24 have been canceled without prejudice or disclaimer. Claims 25-44 have been added, support for the claims being found throughout the application as filed. No new matter has been added. Consideration and allowance of claims 25-44 are respectfully requested for at least the following reasons.

#### **I. Restriction Requirement**

In sections 3-7 of the Action, restriction was required between Group I including claims 1, 2, 5, 6, 9, 10, 13, 14, and 17-24 drawn to a data processing device, and Group II including claims 3, 4, 7, 8, 11, 12, 15, and 16 drawn to a program conversion device. During a telephonic exchange with the Examiner on May 17, 2004, Applicant elected Group I for examination. Favorable consideration is respectfully requested.

#### **II. Specification Objections**

In section 9, the title of the application was objected to as not being descriptive. The title has been amended to read as follows: Data Processing Device that Controls an Overriding of a Subsequent Instruction in accordance with a Conditional Execution Status Updated by a Sequencer. Reconsideration and removal of the objection are therefore respectfully requested.

#### **III. Drawing Objections**

In section 10, the drawings were objected as failing to show a command instruction being prior to subsequent instructions in instruction memory and instruction sequence. The claims including the noted subject matter have been canceled without prejudice or disclaimer. Reconsideration and removal of the objection are therefore respectfully requested.

#### **IV. Claim Objections**

In section 11, claims 18, 20, 22, and 24 were objected to because of the sequence of the claims. Claims 18, 20, 22, and 24 have been canceled without prejudice or disclaimer. Reconsideration and removal of the objection are therefore respectfully requested.

**V. Claim Rejections - 35 U.S.C. § 102**

In sections 13-29, claims 1, 2, 5, 6, 9, 10, 13, 14, and 17-24 were rejected under 35 U.S.C. § 102(b) as being anticipated by Cocke et al., U.S. Patent No. 3,577,189. This rejection is respectfully traversed, and the correctness of the rejection is not conceded.

Claims 1, 2, 5, 6, 9, 10, 13, 14, and 17-24 have been canceled without prejudice or disclaimer. Claims 25-44 have been added, all of which are directed at a data processing device and are therefore drawn to elected Group I.

Claim 25 recites, among other limitations, an instruction overriding control circuit for controlling an overriding of subsequent instructions that follow a computational instruction in response to a conditional execution status updated by a sequencer in accordance with decoding of the computational instruction.

Cocke discloses a technique of overriding subsequent instructions by processing multiway branches with the computational instruction followed by the subsequent instructions. See Cocke, col. 3, l. 73 - col. 4, l. 16. However, Cocke fails to disclose or suggest an instruction overriding control circuit for controlling an overriding of subsequent instructions that follow a computational instruction in response to a conditional execution status updated by a sequencer in accordance with decoding of the computational instruction, as recited by claim 25.

Claims 27 and 42, although not identical in scope, include limitations similar to those noted above with respect to claim 25.

For at least this reason, claims 25, 27, and 42, as well as claims 26, 28-41, 43, and 44 that depend respectively therefrom, should be allowable. Consideration and allowance are respectfully requested.


**VI. Conclusion**

In view of the above amendments and remarks, Applicant respectfully requests a Notice of Allowance. If the Examiner believes a telephone conference would advance the prosecution of this application, the Examiner is invited to telephone the undersigned at the below-listed telephone number.

Respectfully submitted,

MERCHANT & GOULD P.C.  
P.O. Box 2903  
Minneapolis, Minnesota 55402-0903  
(612) 332-5300

Date: September 1, 2004

By:   
Douglas P. Mueller  
Reg. No. 30,300

DPM/RAK